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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,317	08/26/2003	Pao-Hsien Cheng	MR957-1381	2027
4586	7590	09/20/2004	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			KLEBE, GERALD B	
			ART UNIT	PAPER NUMBER
			3618	

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/647,317	Applicant(s) CHENG ET AL. <i>ST</i>	
	Examiner Gerald B. Klebe	Art Unit 3618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

GB Klebe
23 August 2004

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims Rejections - 35 USC § 112, Second Para.

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is replete with grammatical and other form-construction errors, appearing to be a literal translation from a foreign language document. The claim should be carefully reviewed and revised to clearly and concisely set forth and distinguish Applicant's invention. Some examples of unclear and incorrect recitations of the claim are the following:

- a. throughout, the recitations "left part", "right part", and "intermediate part" have insufficient antecedent basis in the claim; it is suggested that for clarity, these should be recited as --left connecting part--; --right connecting part--; and intermediate connecting part--;

- b. in lines 3, 6, 10, and 16: the use of numbers in parentheses is improper in claims recitations except where the numbers correspond to numeric designators used in the figures;

- c. lines 17-19: recite "... the knob being connected ... in angularly displaceable manner with ... around the left tube portion of the ritht part..."; it seems to the examiner that in line 19 this should recite instead --around the right tube portion of the right connecting part-- [emphasis added only to clarify the examiner's comment];

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d. line 50 recites: "... when it is turned to such a position ..."; the antecedent of "it" is not clear;

e. in lines 22-23: "in sequence" seems to the examiner as improper, appearing to recite a time-sequenced operation not recited previously in the claim;

f. in lines 24-25: the recitation of line 25 "at [their] upper ends" (examiner's inclusion added in explanation) is unclear since it is not clear to what structure the "upper ends" applies, whether to the upper ends of the main support rods or to the upper ends of the upper joining member; similarly, the antecedent for the recitation "at lower ends thereof" in line 27 is unclear since it is not clear whether the lower ends are those of the left and right connecting parts or are referring to lower ends of the lower joining member.

g. the recitation "the right tube portion of ... between the stopping protrusions" in lines 39-41 would appear to better be located between lines 17 and 18 of the claim for clarity;

h. the recitation "... for the teeth to engage to block angular displacement ..." in line 48 seems to be missing words or a phrase to indicate what the teeth engage in order to have a clear statement. For example, the insertion between "engage" and "to block" of the phrase: --the teeth of the intermediate connecting part--.

Other examples exist.

Appropriate correction is required.

Allowable Subject Matter

3. Claim 1 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

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Claim 2 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Reasons for Indication of Allowable Subject Matter

4. The following is a statement of reasons for the indication of allowable subject matter: As best understood by the examiner, the limitations recited in the independent claim 1 of a foldable golf cart having a frame, a pulling handle connected to the frame, a front wheel and a pair of rear wheels connected to the frame, and having upper and lower joining members, wherein the upper joining member connects the handle to the frame and the lower the joining member connects a support of the front wheel to the frame and wherein each of the joining members comprises a locking/unlocking structure comprising an intermediate connecting part having a central through-hole extending from a left side to a right side of the intermediate connecting part and having radially patterned teeth on its left and right sides, and further comprising right and left connecting parts that have radially patterned teeth to engage the radially patterned teeth of the intermediate connecting part on the respective right and left sides of the intermediate connecting part and each of the right and the left connecting parts having through-holes extending therethrough and further comprising a knob having a coaxial holding tube and an inserting tube, the knob being connected to the right connecting part in an angularly displaceable manner, with the insertion tube inserted in the through-hole of the right connecting part, and further comprising a pivotal bolt inserted through the insertion tube of the knob, and in sequence through the through-holes of the right connecting part, the intermediate connecting part and the left connecting part, and being threaded to a

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retaining nut, and wherein the knob has two spaced stopping protrusions between the holding tube and the insertion tube and having two slopes between the stopping protrusions, with the stopping protrusions of the knob contacting respective ones of the slopes of the right connecting part, the knob being rotatable to make the left and the right connecting parts move close to the intermediate connecting part for the opposing teeth to engage and prevent angular displacement of the left and right connecting parts relative to the intermediate connecting part and thereby wherein the pull handle retained by the right and left connecting parts of the upper joining member and the front wheel support retained by the right and left connecting parts of the lower joining member can each be maintained in fixed angular position, either extended or folded, relative to the main support frame of the cart attached at its upper end to the intermediate connecting part of the upper joining member and at its lower end to the intermediate connecting part of the lower joining member, together with the other recited structures of the claim are not found in the prior art of record nor may be construed from any reasonable combination that can be derived therefrom.

Prior Art made of Record

5. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. The prior art of Wu, of Hawkes, of Hsaio, of Shieh, and of Schiavone each teach a foldable golf cart having a foldable frame and handle wherein the folding joint connector comprises a knob arranged to lock and unlock a sequence of parts connecting the frame are rotatable with respect to each other when the knob is rotated to its unlocked position and are rigidly prevented from rotating when the knob is rotated to its locked position, the knob's rotation bringing the sequence of parts tightly together so

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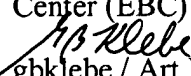
that teeth on the parts engage or disengage allowing them to move apart and the frame members to be folded; Liao teaches a folding golf cart with a forward wheel supported on a lower frame wherein the cart is folded at the joint of the pulling with the upper portion of the frame and the cart is folded at the joint of the forward wheel support with the lower portion of the frame.

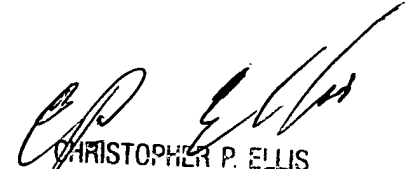
Conclusion

6. Any inquiry concerning this or earlier communication(s) from the examiner should be directed to Gerald B. Klebe at 703-305-0578, fax 703-872-9306; Mon.-Fri., 8:00 AM - 4:30 PM ET, or to Supervisory Patent Examiner Christopher P. Ellis, Art Unit 3618, at 703-308-2560.

Official correspondence should be sent to the following TC 3600 Official Rightfax numbers as follows: Regular correspondence: 703-872-9326; After Finals: 703-872-9327; Customer Service: 703-872-9325.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 gbklebe / Art Unit 3618 / 24 August 2004


CHRISTOPHER P. ELLIS
SUPERVISORY PATENT EXAMINER
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